

PATENT COOPERATION TREATY

PCT

REC'D 18 JUN 2002

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

2

Applicant's or agent's file reference OT-4607	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US00/24408	International filing date (day/month/year) 06 September 2000 (06.09.2000)	Priority date (day/month/year) 07 September 1999 (07.09.1999)
International Patent Classification (IPC) or national classification and IPC IPC(7): B66B 23/12 and US Cl.: 198/333		
Applicant OTIS ELEVATOR COMPANY		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 3 sheets, including this cover sheet.

☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 0 sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of report with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 22 February 2001 (22.02.2001)	Date of completion of this report 06 March 2002 (06.03.2002)
Name and mailing address of the IPEA/US Commissioner of Patents and Trademarks Box PCT Washington, D.C. 20231 Facsimile No. (703)305-3230	Authorized officer <i>H. Van Meester</i> Kenneth Woland Telephone No. 703-308-3200

Form PCT/IPEA/409 (cover sheet)(July 1998)

GROUP 3600

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US00/24408

I. Basis of the report

1. With regard to the elements of the international application:*

- ☒ the international application as originally filed.
- ☒ the description:
pages 1-6 _____ as originally filed
pages NONE _____, filed with the demand
pages NONE _____, filed with the letter of _____.
- ☒ the claims:
pages 7 _____, as originally filed
pages NONE _____, as amended (together with any statement) under Article 19
pages NONE _____, filed with the demand
pages NONE _____, filed with the letter of _____.
- ☒ the drawings:
pages 1-5 _____, as originally filed
pages NONE _____, filed with the demand
pages NONE _____, filed with the letter of _____.
- ☐ the sequence listing part of the description:
pages NONE _____, as originally filed
pages NONE _____, filed with the demand
pages NONE _____, filed with the letter of _____.

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in printed form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages NONE
- ☐ the claims, Nos. NONE
- ☐ the drawings, sheets/fig NONE

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as-filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.
PCT/US00/24408**V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement****1. STATEMENT**

Novelty (N)	Claims <u>2-4</u>	YES
	Claims <u>1</u>	NO
Inventive Step (IS)	Claims <u>NONE</u>	YES
	Claims <u>1-4</u>	NO
Industrial Applicability (IA)	Claims <u>1-4</u>	YES
	Claims <u>NONE</u>	NO

2. CITATIONS AND EXPLANATIONS

Claim 1 lacks novelty under PCT Article 33(2) as being anticipated by Rugg. Note in column 2, lines 5-19 the riser (25) on an escalator step (20). Note also the cleats (25A) with grooves formed therebetween as shown in figure 1.

Claims 1, 2 and 4 lack an inventive step under PCT Article 33(3) as being obvious over Rugg in view of Saito et al (4,984,673). Rugg lacks a non-slip surface mounted on the escalator step. To provide Rugg's escalator step for a non-slip surface would be obvious in view of the teachings of Saito et al which discloses in column 6, lines 49-65 the use of non-slip members (12) also mounted on escalator steps to improve traction.

Claims 1-4 lack an inventive step under PCT Article 33(3) as being obvious over Rugg in view of Saito et al (4,984,672). Rugg lacks a non-slip surface made from synthetic material to be mounted on the escalator step. To provide Rugg's escalator step for a non-slip made from synthetic material would be obvious in view of the teachings of Saito et al which discloses in column 4, lines 49-51 the use of a non-slip surface also made from synthetic resin to also improve traction.

Claims 5 and 6 meet the novelty inventive step and industrial applicability criteria under PCT Article 33(2)-33(4) as follows:

Claim 5 recites that the height of the cleats of the non-slip surface are to be higher than the tread of the escalator step.

Claim 6 recites that the non-slip surface is fastened to a reinforcing plate which is fixed within a cleat part of the step.

The above recitation in claims 5 and 6 are not taught nor fairly suggested by the prior art or any combination thereof.

----- NEW CITATIONS -----

INTERNATIONAL SEARCH REPORT

International application No.
PCT/US00/24408

A. CLASSIFICATION OF SUBJECT MATTER

IPC(7) :B66B 23/12

US CL :198/333

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

U.S. : 198/333, 690.2

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)
EAST

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 5,785,167 A (RUGG) 28 July 1998, col. 2, lines 5-19.	1
Y	US 4,984,673 A (SAITO et al) 15 January 1991, col. 6, lines 49-63.	2, 4
Y	US 4,984,672 A (SAITO et al) 15 January 1991, col. 4, lines 49-51.	3, 4
A	US 5,560,468 A (INOUE) 01 October 1996.	1-4
A	US 5,810,148 A (SCHOENEWEISS) 22 September 1998.	1-4

☐ Further documents are listed in the continuation of Box C. ☐ See patent family annex.

* Special categories of cited documents:	*T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
A document defining the general state of the art which is not considered to be of particular relevance	*X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
E earlier document published on or after the international filing date	*Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
L document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)	*G* document member of the same patent family
O document referring to an oral disclosure, use, exhibition or other means	
P document published prior to the international filing date but later than the priority date claimed	

Date of the actual completion of the international search 01 NOVEMBER 2000	Date of mailing of the international search report 18 DEC 2000
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Name and mailing address of the ISA/US
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Authorized officer

CHRISTOPHER ELLIS *Diane Smith*

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Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This international report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons.

1. ☐ Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:
2. ☐ Claims Nos.:
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:
3. ☒ Claims Nos.: 5 and 6
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
☐ No protest accompanied the payment of additional search fees.